

Translation

PATENT COOPERATION TREATY

PCT

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY
(Chapter II of the Patent Cooperation Treaty)

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference PCT-04T-169	FOR FURTHER ACTION	See Form PCT/IPEA/416
International application No. PCT/JP2004/011265	International filing date (day/month/year) 05.08.2004	Priority date (day/month/year) 21.08.2003
International Patent Classification (IPC) or national classification and IPC F24C1/00		
Applicant SHARP KABUSHIKI KAISHA		

1. This report is the international preliminary examination report, established by this International Preliminary Examining Authority under Article 35 and transmitted to the applicant according to Article 36.

2. This REPORT consists of a total of 5 sheets, including this cover sheet.

3. This report is also accompanied by ANNEXES, comprising:

a. ☒ (sent to the applicant and to the International Bureau) a total of 9 sheets, as follows:

☒ sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications authorized by this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions).

☐ sheets which supersede earlier sheets, but which this Authority considers contain an amendment that goes beyond the disclosure in the international application as filed, as indicated in item 4 of Box No. I and the Supplemental Box.

b. ☐ (sent to the International Bureau only) a total of _____, containing a sequence listing and/or tables related thereto, in computer readable form only, as indicated in the Supplemental Box Relating to Sequence Listing (see Section 802 of the Administrative Instructions).

4. This report contains indications relating to the following items:

☒ Box No. I Basis of the report

☐ Box No. II Priority

☐ Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability

☐ Box No. IV Lack of unity of invention

☒ Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

☐ Box No. VI Certain documents cited

☐ Box No. VII Certain defects in the international application

☐ Box No. VIII Certain observations on the international application

Date of submission of the demand	Date of completion of this report
Name and mailing address of the IPEA/JP	Authorized officer
Facsimile No.	Telephone No.

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.

PCT/JP2004/011265

Box No. I

Basis of the report

1. With regard to the language, this report is based on the international application in the language in which it was filed, unless otherwise indicated under this item.
- ☐ This report is based on translations from the original language into the following language _____, which is the language of a translation furnished for the purposes of:
- ☐ international search (Rule 12.3 and 23.1(b))
- ☐ publication of the international application (Rule 12.4)
- ☐ international preliminary examination (Rule 55.2 and/or 55.3)
2. With regard to the elements of the international application, this report is based on *(replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report)*:
- ☐ the international application as originally filed/furnished
- ☒ the description:
- pages 1, 5-16, 18-30 as originally filed/furnished
- pages* 2, 2/1, 3, 4, 4/1, 17, 17/1 received by this Authority on 13.06.2005
- pages* _____ received by this Authority on _____
- ☒ the claims:
- nos. _____ as originally filed/furnished
- nos.* _____ as amended (together with any statement) under Article 19
- nos.* 1-7 received by this Authority on 13.06.2005
- nos.* _____ received by this Authority on _____
- ☒ the drawings:
- sheets 1/18-18/18 as originally filed/furnished
- sheets* _____ received by this Authority on _____
- sheets* _____ received by this Authority on _____
- ☐ a sequence listing and/or any related table(s) – see Supplemental Box Relating to Sequence Listing.
3. ☐ The amendments have resulted in the cancellation of:
- ☐ the description, pages _____
- ☐ the claims, nos. _____
- ☐ the drawings, sheets/figs _____
- ☐ the sequence listing (*specify*): _____
- ☐ any table(s) related to sequence listing (*specify*): _____
4. ☐ This report has been established as if (some of) the amendments annexed to this report and listed below had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).
- ☐ the description, pages _____
- ☐ the claims, nos. _____
- ☐ the drawings, sheets/figs _____
- ☐ the sequence listing (*specify*): _____
- ☐ any table(s) related to sequence listing (*specify*): _____

* If item 4 applies, some or all of those sheets may be marked "superseded."

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.

PCT/JP2004/011265

Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Claims	<u>1-7</u>	YES
	Claims		NO
Inventive step (IS)	Claims	<u>7</u>	YES
	Claims	<u>1-6</u>	NO
Industrial applicability (IA)	Claims	<u>1-7</u>	YES
	Claims		NO

2. Citations and explanations (Rule 70.7)

Document 1: Microfilm of the specification and drawings annexed to the request of Japanese Utility Model Application No. 4141/1990 (Laid-open No. 97105/1991) (Sharp Corp.), 04 October 1991

Document 2: JP 2002-153380 A (Kabushiki Kaisha Nakanishi Seisakusho), 28 May 2002

Document 3: JP 9-4849 A (Matsushita Electric Industrial Co., Ltd.), 10 January 1997

Document 4: JP 54-127769 A (Mitsubishi Electric Corp.), 03 October 1979

Document 5: JP 58-221335 A (Matsushita Electric Industrial Co., Ltd.), 23 December 1983

Document 6: Microfilm of the specification and drawings annexed to the request of Japanese Utility Model Application No. 134747/1979 (Laid-open No. 50915/1981) (Sharp Corp.), 06 May 1981

Document 7: Microfilm of the specification and drawings annexed to the request of Japanese Utility Model Application No. 166317/1981 (Laid-open No. 71337/1983) (Akira ITO), 14 May 1983

Document 8: Microfilm of the specification and drawings annexed to the request of Japanese Utility

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.

PCT/JP2004/011265

Box No. V

Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

Model Application No. 25805/1990 (Laid-open
No. 116693/1991) (Sharp Corp.), 03 December
1991

Claims 1 to 4

The invention set forth in claims 1 to 4 lacks novelty and does not involve an inventive step in the light of documents 1 to 4, which are cited in the international search report, and documents 5 to 7, which are newly cited.

Document 1 discloses a cooking device equipped with an external circulation passage, wherein a blowing device is provided on the interior of the external circulation passage, an exhaust port is provided at a location downstream from the blowing device and a switching damper is provided to the exhaust port.

The technical feature wherein a cooking device that comprises an external circulation passage is provided with a vapour generation device for supplying vapour to the gas that flows through the external circulation passage and the technical feature wherein the side wall of a heating chamber is provided with a suction port are both well known in the prior art (for example, refer to documents 2 to 4 with regards to the former technical feature, and to documents 5 to 7 with regards to the latter technical feature).

In addition, the timing with which the damper is switched in order to discharge the gas from the external circulation passage after the cooking process has been completed is merely a design matter that could have been configured in an appropriate manner by a person skilled in the art, as necessary.

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.

PCT/JP2004/011265

Box No. V

Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability;
citations and explanations supporting such statement

Claims 5 and 6

The invention set forth in claims 5 and 6 lacks novelty and does not involve an inventive step in the light of documents 1 to 4 and 8, which are cited in the international search report, and documents 5 to 7, which are newly cited.

Document 8 discloses a cooking device wherein after the heating process is discontinued, gas discharge operations are executed and then the blowing device is stopped after the passage of a prescribed period of time.

In addition, configuring so that the operations of the blowing device are interrupted in conjunction with the opening of the door is merely a design matter that could have been configured in an appropriate manner by a person skilled in the art, as necessary.

Therein, the invention that is disclosed in document 1 and the invention that is disclosed in document 8 both belong to the same technical field in that they both pertain to cooking devices, and both inventions discharge the air from within the heating chamber after the completion of the heating process; therefore, it would not have been difficult for a person skilled in the art to conceive of employing the technical feature that is disclosed in document 8 in the invention that is disclosed in document 1.